IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL APPEAL NO. 906 OF 1987

State of Maharashtra .. Appellant

versus

Chandunmal Ghisulal Doshi &ors. .. Respondents

...

Mr.D.P. Adsule, APP for the State.

None for the respondents.

CORAM : V.M. KANADE, J

DATED : 28th October 2004.

P.C:-

1. Heard the learned APP appearing on behalf of the State. None appears for the respondent.

2. The State is challenging the judgement and order passed by the Chief Judicial Magistrate dated 30th June 1987 in Criminal case no.67 of 1985. By the said judgement and order, the trial Court acquitted the respondent accused of the offence with which

they were charged.

3. The respondent accused were charged for having committed offences punishable u/s.16 and 17 of the Food & Adulteration Act. The trial Court held that the provisions of section 14A of the said Act has been complied. However, the mandatory provisions of the said Act u/s/13(2) was not complied. The trial Court further observed that there was a delay of six months in filing the criminal case and this delay was not explained by the prosecution. However, written sanction which is required to be taken u/s.20 of the said Act also has not been obtained.

4. I have perused the judgement and order passed by the trial Court. In my view, there is no infirmity in the said order. It cannot be said that the finding recorded by the trial Court is either unreasonable or perverse.

Appeal is dismissed.

V.M. KANADE, J